IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.773 of 2006 (M/B)

Anandotsav Ashram Trust created
Under Registered Trust Deed dated
13.10.1997 through its Chairman Sh. K.L. Dua
S/o Late Sri R.D. Dua, R/o Anandotsav Ashram, Haripur
Kalan via Raiwala, District Dehradun. ……. Petitioners

Versus

1. State of Uttaranchal through Collector,
Dehradun.

2. Collector, Dehradun

3. Additional Collector (Finance and Revenue),
Dehradun.

4. Anandotsav Ashram Residents and Senior Citizen
Welfare Association B-101, Anandotsav Ashram,
Haripur Kalan Via-Raiwala,
District Dehradun.

5. Sh. S.N. Verma son of Late Sh. Hans Raj Verma
R/o Anandotsav Ashram Haripur Kalan
District Dehradun.

6. Dr. H.K. Srivastava s/o Late Sh. S.P. Srivastava
r/o Anandotsav Ashrm, Haripur Kalan,
District Dehradun.

7. Sh. Tej Veer Singh s/o late Kewal Singh,
r/o Anandotsav Ashram, Haripur Kalan,
District Dehradun.

8. Sh. A.R. Gupta s/o late Sh. P.R. Gupta
r/o Anandotsav Ashram, Haripur Kalan,
District Dehradun.

9. Sh. B.R. Batra s/o late Sh. K.D. Batra
r/o Anandotsav Ashram, Haripur Kalan,
District Dehradun.

10. Sh. G.R. Anand s/o Late Sh. M.C. Anand
r/o Anandotsav Ashram, Haripur Kalan,
District Dehradun.

11. Sh. S. C. Verma s/o Late Sh. K.L. Verma
r/o Anandotsav Ashram, Haripur Kalan,
District Dehradun. ……. Respondents

…….

Sri Arvind Vashistha, Advocate for the petitioner.
Sri N.B. Tewari, Addl. Advocate General/ C.S.C. for respondents 1 to 3.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Sri Arvind Vashistha, Advocate for the petitioner.

Sri N.B. Tewari, Addl. Advocate General/ Chief Sanding Counsel for respondents 1 to 3.

They are heard.

2. The petitioner Trust through its Chairman has filed this writ petition for the following reliefs:

"(i) A writ, order or direction in the nature of certiorari quashing the report dated 10/13.5.2006 submitted by the respondent no.2 (Annexure-7 to the writ petition).
(ii) Any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.
(iii) Award cost of the petition to the petitioner."

3. The petitioner, in substance, is seeking quashing of Annexue-7, which is only an interim report submitted by District Magistrate, Dehradun to Principal Secretary (Home), Government of Uttaranchal, Dehradun.

4. In our opinion, the present writ petition is premature one and as such is liable to be dismissed summarily.

5. The petitioner, however, shall be at liberty to challenge the decision, if any, to be taken by the authorities on the basis of report Annexure-7 as and when such a decision is taken.

6. With the above observation, the writ petition stands disposed of.

7. Consequently, CLMA No.8104 of 2006 also stands disposed of.

(Prafulla C. Pant, J.) 03.07.2006

(Rajeev Gupta, C.J.) 03.07.2006

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